

Application No. 09/586,722  
Attorney Docket Number 2101197-991110

### REMARKS/ARGUMENTS

The present amendment accompanies a request for continued examination (RCE). In a prior telephone conference the Examiner stated that she would grant a telephone interview for this case upon receiving the RCE. In view of this pending interview and the extensive presentation of Applicants' positions in the office action response mailed on June 9, 2004, which is incorporated herein by reference, Applicants will keep the following remarks brief.

#### *§101 Rejections*

The Examiner rejected claims 1-13 and 18-22 on the basis that the claims did not recite a connection to the use of a computer or other technology. The Examiner has requested the Applicant point out which steps may have a connection to a computer. Applicants have followed the Examiner's instructions and have amended each of the independent claims to specifically indicate that certain steps are performed "by use of a computer system." Since all independent claims now contain limitations directly related to use of a computer system, Applicants respectfully assert that the §101 rejection has been overcome.

#### *§102 Rejections*

The Examiner rejected claims 1-22 under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,321,205 of Eder ("Eder"). For the reasons stated below, Applicants assert that all of the pending claims are allowable over Eder.

Again, these rejections were discussed and rebutted in great detail in the Amendment and Response to Office Action mailed on June 9, 2004, which is incorporated herein by reference. In the interest of concision, the following discussion will focus only on the newly amended limitations.

In response to the Examiner's suggestions on pages 5 and 6 of the Office action mailed on September 20, 2004, Applicants have amended the independent claims to better

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clarify the claimed inventions. The Examiner indicated that the authorization limitations of the claims were unclear with respect to use of the term "according to." Applicants amended independent claims 1, 5, 14 and 18 to specify that the authorization of selected assumed variables is "based on a level of authorization of each user and a level of the hierarchy in which the assumed variables are positioned, wherein different levels of authorization have access to different levels of assumed variables." In this manner, the methods allow for selectively placing constraints on the ability of users to interact with the system. This provides advantages over systems such as Eder. For example, for reasons of commercial confidentiality, not all users should necessarily have access to all events and assumptions. It might be appropriate to restrict certain users to a less detailed set of assumptions and events, while providing other users with access to a more detailed set of assumptions and events. It might be appropriate to permit users view the assumptions of some users and groups, but not other users and groups. The multi-level authorization scheme of the claimed inventions provide for these types of constraints. Eder fails to disclose or suggest such a multi-level authorization system.

For all of these reasons, independent claims 1, 5, 14 and 18, and all respective dependent claims (i.e., claims 2-4, 6-9, 15-17 and 19-22) are patentable over Eder.

The remaining independent claim 10 was amended to also incorporate the authorization concept with respect to the ability to provide real-time feedback to the system. Particularly, claim 10 was amended to recite "selectively authorizing a plurality of users to provide real-time feedback on the value creation performance of the business enterprise based on a level of authorization of each user, wherein only certain levels of authorization are permitted to provide real-time feedback." Eder fails to disclose a system where users provide real-time feedback based on their level of authorization.

For all of these reasons, independent claim 10 and all respective dependent claims (i.e., claims 5-14) are patentable over Eder.

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### CONCLUSIONS

Applicants' invention is both novel and nonobvious over Eder for all of the various reasons set forth above. Eder does not teach each and every element of any of Applicants' claimed inventions.

For all of these reasons, Applicants respectfully assert that all of claims 1-22 are in condition for allowance. The Examiner's early reconsideration is respectfully requested. If the Examiner has any questions, the Examiner is invited to contact Applicants' attorney at the following address or telephone number:

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Respectfully submitted,



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